

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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ADOBE SYSTEMS INCORPORATED,

Plaintiff,

v.

JOSHUA CHRISTENSON, et al.,

Defendants.

AND RELATED CLAIMS.

2:10-CV-00422-LRH-GWF

ORDER

Before the court are: (1) Plaintiff's first Motion for Leave to Supplement Plaintiff's Motion for Summary Judgment on Plaintiff's Claims with Recently Filed Ninth Circuit Authority (#154), along with Defendants' opposition (#155), and Plaintiff's reply (#156); and (2) Plaintiff's second Motion for Leave to Supplement Plaintiff's Motion for Summary Judgment on Plaintiff's Claims with Recently Filed Ninth Circuit Authority (#157), along with Defendants' opposition (#158), and Plaintiff's reply (#159).

Plaintiff's first motion requests the court to consider the Ninth Circuit's recently-filed decision *Apple Inc. v. Psystar Corp.*, --- F.3d ---, 2011 WL 4470623 (9th Cir. Sept. 28, 2011), and to grant additional briefing on how the decision impacts the parties' pending motions for summary judgment. Plaintiff's second motion requests the court to consider the Northern District of California's recent decision in *Adobe Systems Inc. v. Kornrumpf*, 2012 U.S. Dist. LEXIS 12228

1 (N.D. Cal. Feb. 1, 2012). Defendants do not necessarily oppose the court's consideration of these  
2 new authorities, but they do oppose Plaintiff's request for supplemental briefing and disagree with  
3 Plaintiff's position regarding the application of these authorities to the matter before the court.

4 The court shall grant Plaintiffs' motions to the extent that the court will consider the  
5 recently filed authorities. However, Plaintiff's request for supplemental briefing shall be denied.

6 IT IS THEREFORE ORDERED that Plaintiff's first Motion for Leave to Supplement  
7 Plaintiff's Motion for Summary Judgment on Plaintiff's Claims with Recently Filed Ninth Circuit  
8 Authority (#154) is GRANTED in part and DENIED in part.

9 IT IS FURTHER ORDERED that Plaintiff's second Motion for Leave to Supplement  
10 Plaintiff's Motion for Summary Judgment on Plaintiff's Claims with Recently Filed Ninth Circuit  
11 Authority (#157) is GRANTED.

12 IT IS SO ORDERED.

13 DATED this 30th day of March, 2012.



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16 LARRY R. HICKS  
17 UNITED STATES DISTRICT JUDGE  
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